

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

GLENN NORRIS

PLAINTIFF

v.

Case No. 4:18-cv-00337-KGB

KOHLER CO.

DEFENDANT

ORDER

Before the Court is a motion for award of costs filed by defendant Kohler Co. (“Kohler”) (Dkt. No. 51). The time for filing a response to the motion has passed, and plaintiff Glenn Norris has not responded. For the following reasons, the Court grants the motion (Dkt. No. 51).

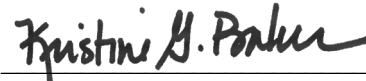
Mr. Norris filed a complaint against Kohler, his former employer, alleging violations of Title VII of the Civil Rights Act of 1964 (“Title VII”), 42 U.S.C. § 2000e *et seq.*, and the Age Discrimination in Employment Act of 1967 (“ADEA”), 29 U.S.C. § 621 *et seq.* (Dkt. No. 1). Kohler filed a motion for summary judgment properly supported by numerous exhibits, including but not limited to deposition excerpts (Dkt. No. 23). After reviewing the parties’ summary judgment filings, the Court concluded that there was no genuine issue of material fact in dispute and that Kohler was entitled to summary judgment as a matter of law on Mr. Norris’s discrimination and retaliation claims. Accordingly, the Court granted Kohler’s motion for summary judgment (Dkt. Nos. 23; 49; 50). Kohler was the prevailing party in this case, and Kohler files its motion for costs pursuant to Federal Rule of Civil Procedure 54(d)(1).

Kohler in its motion for bill of costs seeks \$1,729.48 related to fees for printed transcripts necessarily obtained and used in this case to prepare its dispositive motion (Dkt. No. 51, at 1). The Court has reviewed the invoices submitted by Kohler in support of this request. The expense of

depositions “reasonably necessary to [a] case and. . . not purely investigative in nature” may be taxed as costs. *Koppinger v. Cullen–Schiltz and Associates*, 513 F.2d 901, 911 (8th Cir. 1975).

For good cause shown, the Court grants Kohler’s motion for costs and awards costs in the amount of \$1,729.48 to Kohler (Dkt. No. 51).

It is so ordered this 13th day of September, 2021.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker
United States District Judge